

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 8/5/2022
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VALERIE DICKS, <i>on behalf of herself and all others similarly</i>	:	
<i>situated,</i>	:	
	:	1:22-cv-6540-GHW
Plaintiff,	:	
	:	<u>ORDER</u>
-against-	:	
	:	
MICHAEL STARS, INC.,	:	
	:	
Defendant.	:	
	:	
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GREGORY H. WOODS, United States District Judge:		

Plaintiff commenced this action on August 3, 2022, alleging that Defendant violated the Americans with Disabilities Act because its website is not compatible with screen reader technology. Dkt. No. 1 (“Compl.”) ¶¶ 1-5. The complaint alleges that venue is proper in this district in part because “a substantial portion of the conduct complained of herein occurred in this District because Plaintiff attempted to utilize, on a number of occasions, the subject Website within this Judicial District.” *Id.* ¶ 13.

Plaintiff alleges that Defendant is a California Corporation doing business in this State with its principal place of business located at 12955 Chadron Ave, Hawthorne, CA 90250.” *Id.* ¶ 17. Plaintiff is alleged to reside in “New York, State of New York.” *Id.* ¶ 15. However, there are portions of “New York” that are not within the jurisdiction of Southern District of New York, but are instead within the jurisdiction of the Eastern District of New York. *See* 28 U.S.C. § 112(c) (“The Eastern District comprises the counties of Kings, Nassau, Queens, Richmond, and Suffolk . . .”). Without any other allegations as to the specific place of Plaintiff’s residence, there are no allegations in the complaint describing the occurrence of events or the residence of any defendant in the Southern District of New York. *See* 28 U.S.C. § 112(b) (“The Southern District comprises the

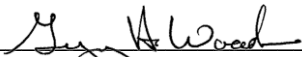
counties of Bronx, Dutchess, New York, Orange, Putnam, Rockland, Sullivan, and Westchester . . .  
.”).

Plaintiff is ORDERED TO SHOW CAUSE no later than August 12, 2022 as to why this  
action is appropriately venued in the Southern District of New York.

Plaintiff is directed to serve a copy of this order on all Defendants in this action and to retain  
proof of service.

SO ORDERED.

Dated: August 5, 2022  
New York, New York

  
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GREGORY H. WOODS  
United States District Judge